

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE <b>K</b>		PAGE OF PAGES <b>1   4</b>		
2. AMENDMENT/MODIFICATION NO. <div style="text-align: center;">0003</div>		3. EFFECTIVE DATE <div style="text-align: center;">June 13, 2003</div>		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY  DEFENSE ENERGY SUPPORT CENTER 8725 JOHN J. KINGMAN ROAD, SUITE 4950 FT. BELVOIR, VA 22060-6222 FAX 703-767-9490 BUYER/SYMBOL-ANDREA L. KINCAID, DESC-APE PHONE - (703) 767-9412		CODE <div style="text-align: center;">SP0600</div>		7. ADMINISTERED BY (If other than Item 6) CODE			<div style="text-align: center;">SP0600</div>
8. NAME AND ADDRESS OF CONTRACTOR (NO., street,city,county,State,and ZIP Code)				X	9a. AMENDMENT OF SOLICITATION NO. <div style="text-align: center;">SP0600-03-R-0097</div>		
					9b. DATED (SEE ITEM 11) <div style="text-align: center;">May 1, 2003</div>		
					10a. MODIFICATION OF CONTRACT/ORDER NO.		
					10b. DATED (SEE ITEM 13)		
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<p>[ X ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ X ] is not extended</p> <p>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning ____ copies of the amendment;(b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers.</p> <p><b>FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b> If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p>							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>							
13. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. 12.05 CHANGES-FIXED PRICE (AUG 87)							
14. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 43.01							
OTHER (Specify type of modification and authority)							
E. <b>IMPORTANT:</b> Contractor [ ] is not, [ X ] is required to sign this document and return <u>1</u> copies to the issuing office.							
15. <b>DESCRIPTION OF AMENDMENT/MODIFICATION</b> (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
SEE FOLLOWING PAGES							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME OF CONTRACTING OFFICER <div style="text-align: center;">LAWRENCE T. FRATIS</div>			
15B. NAME OF CONTRACTOR/OFFEROR BY _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED	

1. The following account number for the 77<sup>th</sup> RSC, line item number 3600e, located in the Central Hudson Service Territory, has been changed:

FROM: 3610-0500-00-2  
TO: 3610-0515-00-0

2. Under Part I, Clause 2: Statement of Work, Section b: Invoicing and Payment, the NYSEG service territory is added under Consolidated Billing by the UDC.

**(b) INVOICING AND PAYMENT (for accounts in NYSEG, NiMo and O&R):** The Government will utilize UDC Consolidated Billing for all accounts awarded as a result of this solicitation. The contractor must submit all invoice information to the appropriate UDC under the terms of the applicable Retail Access Rule, in accordance with terms of its ESCO/UDC Service Agreement. All invoicing shall be based on meter quantities at the service point for each account. The contractor may only invoice for charges allowed under the terms and conditions of the contract. Any costs associated with Consolidated UDC Billing shall be the responsibility of the Contractor and shall be included as part of the offered price. Each invoice shall be prepared in a manner consistent with all ESCO/UDC arrangements and shall conform to all New York Public Service Commission (PSC) requirements for UDC Consolidated Billing.

For the purposes of this contract, the address designated to receive invoices in accordance with FAR 52.212-4 CONTRACT TERMS AND CONDITIONS--COMMERCIAL ITEMS (MAY 1999), paragraph (g), is considered to be that of the UDC in the service territory of which each account is located (i.e. the appropriate locations at NiMo, O&R, LIPA, RG&E, Central Hudson, NYSEG).

For the purposes of this contract, the invoice to which reference is made in FAR 52.212-4, CONTRACT TERMS AND CONDITIONS--COMMERCIAL ITEMS (MAY 1999), paragraph (i) refers to the energy portion of the Consolidated UDC Invoice forwarded to the Government for payment by the UDC.

For the purposes of this contract, the payment to which reference is made in FAR 52.212-4, CONTRACT TERMS AND CONDITIONS--COMMERCIAL ITEMS (MAY 1999), paragraph (i) refers to the payment made by the Government against the Consolidated UDC Invoice.

3. Under Part I, Clause 2: Statement of Work, Section b: Invoicing and Payment, the dual billing procedures for the Central Hudson service territory are added below.

**DUAL BILLING (for accounts in CH):** The Government will utilize Dual Billing for all accounts awarded as a result of this solicitation. All invoicing shall be based on meter quantities at the service point for each account. The contractor may only invoice for charges allowed under the terms and conditions of the contract. Any costs associated with billing shall be the responsibility of the Contractor and shall be included as part of the offered price. Each invoice shall be prepared in a manner consistent with and shall conform to all New York Public Service Commission (PSC) requirements for Dual Billing. In addition to the requirements set forth in FAR 52.212-4 CONTRACT TERMS AND CONDITIONS - COMMERCIAL ITEMS Paragraph (g), each contractor invoice shall include the following information:

- (1) Installation name, Line Item, and individual account information (Account Number, Meter Number, and Service Location)
- (2) Billing period for each account
- (3) Total consumption for each account (broken down by Peak, Off-Peak, Semi-Peak if applicable)
- (4) Demand information for each account (broken down by Peak, Off-Peak, Semi-Peak if applicable)
- (5) Total energy charge (broken down by energy charges and demand charges)
- (6) Applicable ESCO Energy Credit for each account
- (7) Charges for services broken out in detail for each account in a manner consistent with the terms and conditions of the contract and New York PSC requirements.
- (8) All information required by the New York PSC to be included on customer invoice.

4. The billing and payment addresses are added for the following installations. Other addresses will be provided upon receipt.

Fort Drum, Line Item 3610:

Utility/JOC Branch  
Public Works/ttn: Jean Hughes  
85 1<sup>st</sup> Street, West  
Fort Drum, NY 13602-5097

Department of Energy, Knolls Lab, Line Item 3620:

KAPL  
Accounts Payable  
P.O. Box 1072  
Schenectady, NY 12301-1072

United States Military Academy, Line Item 3645:

United States Military Academy  
Attn: Utility Sales Officer  
Building 667-A DHPW-U&FD  
West Point, NY 10996-0000

United States Coast Guard, Line Item 3670:

Utilities/Telephones  
USCG Finance Center  
P.O. Box 4109  
Chesapeake, VA 23327-4109

5. Attachment III is amended to reflect the following changes (highlighted in green):

- a. Under the Fixed Price spreadsheet, consumption data for the following Central Hudson Service Territory Accounts have been updated:

<u>Line Item</u>	<u>Account Number</u>
3600j	5634-0525-00
3630d	8651-1125-00
3630e	8651-1215-00
3630g	8651-1235-00
3630h	8651-1195-00
3665m	8682-0340-00
3665n	8682-0050-00

- b. Under the Fixed Discount spreadsheet, the Coast Guard accounts have been changed to reflect consumption data.
- c. Under the Renewable spreadsheet, DOE West Valley data is corrected to:
1. Remove line item 3615b and 3615s as these are invalid accounts.
  2. Include estimated quantities, which were previously left off.

6. Under Part II, Clause 4: Statutes and Executive Orders, (b)(8)(i) 52.219-23: Alternate I is added.

7. Attachment III is updated to: (a) change Rate Schedule for line 3645j, account 05856-86004 to read E102 and (b) delete line 3645w. The West Point Consumption Spreadsheet is revised.
8. The solicitation is updated to reflect the above.